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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/470,042 | 12/22/1999 | CHEAH WEE LEONG | ANDIP400 | 5696 |

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EXAMINER

ELISCA, PIERRE E

ART UNIT PAPER NUMBER

3621

DATE MAILED: 03/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/470,042

Applicant(s)

Cheah Wee Leong et al.

Examiner

Pierre E. Elisca

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/31/2002
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION
RESPONSE TO AMENDMENT

1. This Office action is in response to Applicant's response filed on 12/31/2002.
2. Claims 1-18 are pending.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-18 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Hartheimer et al. (U.S. Pat. No. 5,305,200) in view of Ginter et al (U.S. Pat. No. 6,185,683).

As per claims 1, 3, 4, 6, 7, 9, 10, 12, 13, 15, 16 and 18 Hartheimer substantially discloses a system/method for distributing online automated trading system uses structured messages to represent each stage in the negotiation between a market (quoter) and a potential buyer or seller (which is seen to read as Applicant's claimed invention wherein it is stated that a method for creating a finalized document (or items), comprising the steps of:

allowing the negotiation of terms of an agreement between a buyer and a seller (see., abstract, specifically wherein it is stated that online automated trading system uses structured messages to

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represent each stage in the negotiation between a market (quoter) and a potential buyer or seller, and also col 2, lines 45-68, lines 5-40);

displaying a form detailing the negotiations of the terms (see., col 2, lines 45-68, specifically wherein it is stated that display and process all relevant details);

organizing and storing documents supporting the form (see., col 5, lines 27-50); and

initiating payment to the seller only after receiving a verification of credit of the buyer (see., col 2, lines 45-68, please note that after negotiation payment must be provided, and also col 3, lines 47-56, col 4, lines 6-15). **It is to be noted that Hartheimer fails to explicitly disclose a digital signature of the form of the detailing negotiations .**

However, Ginter discloses a trusted and secure techniques, systems and methods for item delivery and execution wherein documents and other items can be delivered electronically from sender to recipient. Documents can be marked with digital signature (see., abstract, col 7, lines 28-38, col 9, lines 40-49, col 23, lines 60-67, col 24, lines 1-10). Accordingly, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the financial exchange of **Hartheimer** by including the limitation detailed above as taught by **Ginter** because such modification would provide a system/method that can affix visible seal on printed items or terms or documents such as documents for use both in encoding receipt and other receipt and/or usage related information and for establishing a visible presence and impact regarding the authenticity, and ease of checking the authenticity, of the item. (See., Ginter, col 7, lines 33-38).

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As per claims 2, 5, 8, 11, 14 and 17 Hartheimer discloses the claimed method, wherein the form includes a first section indicating the terms, a second section for allowing the buyer to sign off on the terms, and a third section for allowing the seller to sign off on the terms (see., abstract, col 2, lines 45-68).

RESPONSE TO ARGUMENTS

6. Applicant's arguments filed on 12/31/2002 have been fully considered but they are moot in view of new ground (s) of rejection.

CONCLUSION

7. Any inquiry concerning this communication from the examiner should be directed to Pierre Eddy Elisca at (703) 305-3987. The examiner can normally be reached on Tuesday to Friday from 6:30AM to 5:00PM.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768.

Any response to this action should be mailed to:

Commissioner of Patents of Trademarks

Washington, D.C. 20231


The Official Fax Number For TC-3600 is:

After-final/Official/Non-Official/Draft (703) 305-7687

Application/Control Number: 09/470,042

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Pierre Eddy Elisca

Patent Examiner

March 04, 2003